

## STATE OF SOUTH CAROLINA

## (Caption of Case)

Application of Duke Energy Carolinas, LLC for  
Approval of Decision to Incur Nuclear Generation  
Pre-Construction Costs

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

## DOCKET

NUMBER: 2007 - 440 - E

(Please type or print)

Submitted by: Catherine E. HeigelSC Bar Number: 9268Address: Duke Energy CorporationTelephone: 704.382.8123P O Box 1006 / EC03TFax: 704.382.5690Charlotte, NC 28201-1006

Other: \_\_\_\_\_

Email: ceheigel@duke-energy.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

☒ Other: \_\_\_\_\_

| INDUSTRY (Check one)                                 | NATURE OF ACTION (Check all that apply)            |  |   |
|--|--|--|---|
| <input checked="" type="checkbox"/> Electric         | <input checked="" type="checkbox"/> Affidavit      | <input type="checkbox"/> Letter                            | <input type="checkbox"/> Request                  |
| <input type="checkbox"/> Electric/Gas                | <input type="checkbox"/> Agreement                 | <input type="checkbox"/> Memorandum                        | <input type="checkbox"/> Request for Certificatio |
| <input type="checkbox"/> Electric/Telecommunications | <input type="checkbox"/> Answer                    | <input type="checkbox"/> Motion                            | <input type="checkbox"/> Request for Investigatio |
| <input type="checkbox"/> Electric/Water              | <input type="checkbox"/> Appellate Review          | <input type="checkbox"/> Objection                         | <input type="checkbox"/> Resale Agreement         |
| <input type="checkbox"/> Electric/Water/Telecom.     | <input type="checkbox"/> Application               | <input type="checkbox"/> Petition                          | <input type="checkbox"/> Resale Amendment         |
| <input type="checkbox"/> Electric/Water/Sewer        | <input type="checkbox"/> Brief                     | <input type="checkbox"/> Petition for Reconsideration      | <input type="checkbox"/> Reservation Letter       |
| <input type="checkbox"/> Gas                         | <input type="checkbox"/> Certificate               | <input type="checkbox"/> Petition for Rulemaking           | <input type="checkbox"/> Response                 |
| <input type="checkbox"/> Railroad                    | <input type="checkbox"/> Comments                  | <input type="checkbox"/> Petition for Rule to Show Cause   | <input type="checkbox"/> Response to Discovery    |
| <input type="checkbox"/> Sewer                       | <input type="checkbox"/> Complaint                 | <input type="checkbox"/> Petition to Intervene             | <input type="checkbox"/> Return to Petition       |
| <input type="checkbox"/> Telecommunications          | <input type="checkbox"/> Consent Order             | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation              |
| <input type="checkbox"/> Transportation              | <input type="checkbox"/> Discovery                 | <input type="checkbox"/> Prefiled Testimony                | <input type="checkbox"/> Subpoena                 |
| <input type="checkbox"/> Water                       | <input type="checkbox"/> Exhibit                   | <input type="checkbox"/> Promotion                         | <input type="checkbox"/> Tariff                   |
| <input type="checkbox"/> Water/Sewer                 | <input type="checkbox"/> Expedited Consideration   | <input type="checkbox"/> Proposed Order                    | <input type="checkbox"/> Other:                   |
| <input type="checkbox"/> Administrative Matter       | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest                           |   |
| <input type="checkbox"/> Other:                      | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit             |   |
|  | <input type="checkbox"/> Late-Filed Exhibit        | <input type="checkbox"/> Report                            |   |



DUKE ENERGY CAROLINAS, LLC  
526 South Church St.  
Charlotte, NC 28202

Mailing Address:  
EC03T / PO Box 1006  
Charlotte, NC 28201-1006

CATHERINE E. HEIGEL  
Assistant General Counsel  
704.382.8123 OFFICE  
704.382.5690 FAX  
ceheigel@duke-energy.com

RECEIVED  
2008 FEB 27 PM 10:00  
SC PUBLIC SERVICE  
COMMISSION

February 26, 2008

*VIA OVERNIGHT MAIL*

The Honorable Charles L.A. Terreni  
Administrator and Chief Clerk  
Public Service Commission of South Carolina  
101 Executive Center Drive  
Columbia, South Carolina 29210

RE: Docket No. 2007-440-E

Dear Mr. Terreni:

Enclosed for filing with the Commission are the Affidavits of Publication for the Notice of Hearing from The Charlotte Observer, The Anderson Independent Mail, The Greenville News, Spartanburg Herald-Journal, and Gaffney Ledger newspapers in the above-referenced docket that Duke Energy Carolinas, LLC.

If you have any questions regarding this matter, please call Bo Somers at 704.382.8142.

Sincerely,

Catherine E. Heigel

pa

Enclosures

North Carolina } ss  
Mecklenburg County }

The Charlotte Observer Publishing Co.  
Charlotte, NC  
Affidavit of Publication

THE CHARLOTTE OBSERVER

DUKE POWER, LAW DEPT  
PAM ALLEN, EC03T  
PO BOX 1006  
CHARLOTTE NC 28201

REFERENCE: 30053873  
6104451 docket #2007-440-E

Before the undersigned, a Notary Public of said County and State, duly authorized to administer oaths affirmations, etc., personally appeared, being duly sworn or affirmed according to law, doth depose and say that he/she is a representative of The Charlotte Observer Publishing Company, a corporation organized and doing business under the laws of the State of Delaware, and publishing a newspaper known as The Charlotte Observer in the city of Charlotte, County of Mecklenburg, and State of North Carolina and that as such he/she is familiar with the books, records, files, and business of said Corporation and by reference to the files of said publication, the attached advertisement was inserted. The following is correctly copied from the books and files of the aforesaid Corporation and Publication.

PUBLISHED ON: 01/02

AD SPACE: 182 LINE  
FILED ON: 01/10/08

NAME: Valerie Robinson

TITLE: Accounting Clerk  
DATE: JAN 15 2008

In Testimony Whereof I have hereunto set my hand and affixed my seal, the day and year aforesaid.

Notary: Judith M. Sears

My Commission Expires: 5/17/2011

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
DOCKETING DEPARTMENT  
NOTICE OF FILING AND HEARING  
DOCKET NO. 2007-440-E

APPLICATION OF DUKE ENERGY CAROLINAS, LLC FOR APPROVAL OF DECISION TO INCUR NUCLEAR GENERATION PRE-CONSTRUCTION COSTS

Duke Energy Carolinas, LLC (Duke Energy Carolinas or the Company) has filed an Application with the Public Service Commission of South Carolina (the "Commission") for approval of Duke Energy Carolinas' decision to continue to incur pre-construction costs of up to \$230 million through December 31, 2009, for the Company's proposed William States Lee, III Nuclear Station in Cherokee County, South Carolina (Lee Nuclear Station). The Application was filed pursuant to S.C. Code Ann. Section 58-33-225. The Application reveals that Duke Energy Carolinas is seeking Commission approval of the decision to incur all pre-construction costs through December 31, 2009, to ensure that the Lee Nuclear Station remains an option to serve customer needs in the 2018 timeframe.

According to the Application, all cost estimates reflect total pre-construction costs to be allocated among South Carolina retail customers, North Carolina retail customers, and wholesale customers (of which the South Carolina portion is approximately 28% or \$64,400,000).

Duke Energy Carolinas' Application cites reasons for the continued development of the Lee Nuclear Station. For example, in each of the past five years, approximately 50,000 new customer accounts have been added and served by Duke Energy Carolinas. Further, the Lee Nuclear Station is the largest single capital project in the history of Duke Energy Carolinas. The Application states that approval of the Company's request will provide additional assurance that the Lee Nuclear Station will continue to be an option to serve the Company's customers in the 2018 timeframe. Additional details regarding the Company's anticipated preconstruction costs and schedule are outlined in its Application.

A copy of the Company's Application may be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Additionally, the Application is available on the Commission's web site at [www.psc.sc.gov](http://www.psc.sc.gov) and is available from Frank R. Ellerbe, III, Esquire, Robinson McFadden and Monroe, PC, 1901 Main Street, Suite 1200, Post Office Box 944, Columbia, South Carolina 29202.

In order for testimony and evidence to be received from all interested parties, a public hearing will be held in the Commission's Hearing Room, Synergy Business Park, Saluda Building, 101 Executive Center Drive, Columbia, South Carolina on Thursday, April 17, 2008 at 10:30 a.m.

Any person, who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before March 3, 2008, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2007-440-E.

Any party who wishes to testify and present evidence at the hearing concerning these matters should notify, in writing, the Docketing Department at the address below, the Office of Regulatory Staff, at Post Office Box 11263, Columbia, South Carolina 29211 and Frank R. Ellerbe, III, Esquire and Bonnie D. Shealy, Esquire, Robinson McFadden and Moore, PC, 1901 Main Street, Suite 1200, Post Office Box 944, Columbia, South Carolina 29202 on or before March 3, 2008, and indicate the amount of time required for the presentation. Please refer to Docket No. 2007-440-E.

Any person, who wishes to be notified of the hearing, but does not wish to present testimony or participate as a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before March 3, 2008. Please refer to Docket No. 2007-440-E.

PLEASE TAKE NOTICE: Any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission in Columbia at 803-896-5100.

Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, South Carolina 29211

LP6104451

RECEIVED  
2008 FEB 27 AM 10:00  
PUBLIC SERVICE COMMISSION

# State of South Carolina

# County of Anderson

# Affidavit

Personally appeared before me, Kevin McCoy, who being duly

sworn, says that he is the Recruitment Manager of the *Anderson*.

*Independent-Mail* daily newspaper, published at Anderson, South Carolina,

and that a legal advertisement for Notice of Filing and Hearing Duke Energy Carolinas, LLC appeared in the above newspaper in the issues of January 2, 2008.

Copy of said advertisement is attached hereto.

Signed:

Sworn to and subscribed before me

this 22 day of

February, 2008.

Seal

Patricia D. Upay  
Notary Public for South Carolina

Notary Public for South Carolina

MY COMMISSION EXPIRES FEB. 10, 2014

[illegible]

TOTAL P.02

# The Greenville News

greenvilleonline.com

## Classified Advertising

Date: 2/5/2008

Name: / DUKE ENERGY CORP  
422 SOUTH CHURCH ST. PB05 CHARLOTTE NC 28202

Ad No: 4204575 Class: 0008 Legal Notices (News) Rate: Legal Rates

Runs:

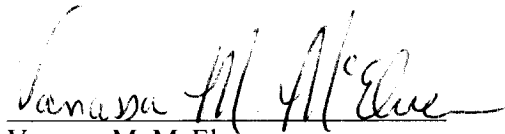
Wednesday, February 6, 2008 Lines: 165

## AFFIDAVIT

I, Susan F. Mullinax, being the Legal Advertising Agent for *The Greenville News*, do hereby testify that the attached legal ad was published on 165 lines as set forth above, in The Greenville News beginning on 2/6/2008 and ending on 2/6/2008



Susan F. Mullinax  
Legal Advertising Agent



Vanessa M. McElveen  
Notary Public for the State of South Carolina  
My Commission Expires December 1, 2008

RECEIVED  
2008 FEB 27 AM 10:00  
SO PUBLIC SERVICE  
COMMISSION

Post Office Box 1688 \* Greenville, SC 29602  
Phone: 864.298.4100



305 South Main Street \* Greenville, SC 29601  
Toll Free: 1.800.800.5116

Ad Text:

</684>4204575 □  
PUBLIC SERVICE<QC>  
COMMISSION OF<qC>  
SOUTH CAROLINA<qC>  
DOCKETING<qC>  
DEPARTMENT<qC>  
</676>NOTICE OF HEARING<QC>  
□

</684>DOCKET NO. 2007-440-E □  
APPLICATION OF DUKE<Qc>  
ENERGY CAROLINAS,<qC>  
LLC FOR APPROVAL OF<Qc>  
DECISION TO INCUR<Qc>  
NUCLEAR GENERATION<Qc>  
PRE-CONSTRUCTION COSTS.  
<Qc>

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(Duke Energy Carolinas or the  
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\$230 million through December  
31, 2009, for the Company's pro-  
posed William States Lee, III  
Nuclear Station in Cherokee  
County, South Carolina (Lee  
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Code Ann. Section 58-33-225.  
The Application reveals that  
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needs in he 2018 timeframe. □  
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2009 FEB 27 AM 10:00  
SO PUBLIC SERVICE  
COMMISSION

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August 23, 2007 at □

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure, on or before March 3, 2008 and indicate the amount of time required for his presentation. Please include an e-mail address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2007-440-E. □

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Public Service Commission ☐  
of South Carolina ☐

Attn: Docketing Department ☐  
PO Drawer 11649 ☐  
Columbia, SC 29211 ☐

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SC PUBLIC SERVICE  
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**THANK YOU FOR YOUR ADVERTISEMENT!**

If I can be of further assistance, please call : Susan  
4229



# The Greenville News

greenvilleonline.com

## Classified Advertising

Date: 2/11/2008

Name: / DUKE ENERGY CORP  
7800 ROCHESTER HWY SENECA SC 29672

Ad No: 4204575 Class: 0008 Legal Notices (News) Rate: Legal Rates

Runs:

Wednesday, February 6, 2008 Lines: 165

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I, Susan F. Mullinax, being the Legal Advertising Agent for *The Greenville News*, do hereby testify that the attached legal ad was published on 165 lines as set forth above, in The Greenville News beginning on 2/6/2008 and ending on 2/6/2008



Susan F. Mullinax  
Legal Advertising Agent



Vanassa M. McElveen  
Notary Public for the State of South Carolina  
My Commission Expires December 1, 2008

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Post Office Box 1688 \* Greenville, SC 29602  
Phone: 864.298.4100



305 South Main Street \* Greenville, SC 29601  
Toll Free: 1.800.800.5116

Ad Text:

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SC PUBLIC SERVICE  
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Public Service Commission □  
of South Carolina □

Attn: Docketing Department □  
PO Drawer 11649 □  
Columbia, SC 29211 □

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**THANK YOU FOR YOUR ADVERTISEMENT!**

If I can be of further assistance, please call : Susan  
4229

SPARTANBURG  
**Herald-Journal**  
P.O. BOX 1657, Spartanburg, S.C. 29304  
(864) 582-4511

**STATE OF SOUTH CAROLINA  
COUNTY OF SPARTANBURG**

Personally appeared before me, a notary public in and  
County aforesaid, Angela Harris, who having  
according to law, deposes and says that she is a Represe  
Spartanburg Herald-Journal, a newspaper published in S  
Carolina, and that the attached Legal  
published for 1 time(s) in the following iss

Angela C. Harris  
Angela Harris

Sworn to and subscribed before me  
This 2<sup>nd</sup> day of January, 2008

Alice Annas  
Alice Annas  
Notary Public for South Carolina  
My Commission Expires: May 23, 2016

PUBLIC SERVICE  
COMMISSION OF SOUTH  
CAROLINA

DOCKETING DEPART-  
MENT

NOTICE OF FILING AND  
HEARING

DOCKET NO. 2007-440-E

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Public Service Commission of South Carolina  
Attn: Docketing Department  
Post Office Drawer 11649  
Columbia, SC 29211

1/2

84270

SC PUBLIC SERVICE  
COMMISSION

J 27 AM 10:01

CEIVED

# The Gaffney LEDGER

Devoted to serving the people of Cherokee County since 1894.

P.O. Box 670  
Gaffney, S.C. 29342  
Telephone: 803-489-1131  
Fax: 803-487-7667

STATE OF SOUTH CAROLINA

COUNTY OF CHEROKEE

Personally came before me, a Notary Public for State and County aforesaid, Carolyn C. Moss, Secretary/Receptionist for The Gaffney Ledger, Inc., a newspaper published at Gaffney, South Carolina, who on oath says that the above advertisement did appear in said newspaper and that the copy of said advertisement attached and made a part of this affidavit is a true copy of said advertisement as published in said newspaper.

*Carolyn C. Moss*  
Carolyn C. Moss, Secretary

Sworn to before me this

*5th* day of *Jan* 2008

*Donal P. Raby*

Notary Public for South Carolina

**PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA  
DOCKETING DEPARTMENT  
NOTICE OF FILING AND HEARING  
DOCKET NO. 2007-440-E  
APPLICATION OF DUKE ENERGY  
CAROLINAS, LLC FOR APPROVAL  
OF DECISION TO INCUR  
NUCLEAR GENERATION  
PRE-CONSTRUCTION COSTS**

Duke Energy Carolinas, LLC (Duke Energy Carolinas or the Company) has filed an Application with the Public Service Commission of South Carolina (the "Commission") for approval of Duke Energy Carolinas' decision to continue to incur pre-construction costs of up to \$230 million through December 31, 2009, for the Company's proposed William States Lee, III Nuclear Station in Cherokee County, South Carolina (Lee Nuclear Station). The Application was filed pursuant to S.C. Code Ann. Section 58-33-225. The Application reveals that Duke Energy Carolinas is seeking Commission approval of the decision to incur all pre-construction costs through December 31, 2009, to ensure that the Lee Nuclear Station remains an option to serve customer needs in the 2018 timeframe. According to the Application, all cost estimates reflect total pre-construction costs to be allocated among South Carolina retail customers, North Carolina retail customers, and wholesale customers (of which the South Carolina portion is approximately 28% or \$64,400,000). Duke Energy Carolinas' Application cites reasons for the continued development of the Lee Nuclear Station. For example, in each of the past five years,

approximately 10% of new customer contracts have been secured and signed by Duke Energy Carolinas. Further, the Lee Nuclear Station is the largest single capital project in the history of Duke Energy Carolinas. The Application states that approval of the Company's request will provide additional assurance that the Lee Nuclear Station will continue to be an option to serve the Company's customers in the 2018 timeframe. Additional details regarding the Company's anticipated preconstruction costs and schedule are outlined in its Application.

A copy of the Company's Application may be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Additionally, the Application is available on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) and is available from Frank R. Ellerbe, III, Esquire, Robinson McFadden and Moore, PC, 1901 Main Street, Suite 1200, Post Office Box 944, Columbia, South Carolina 29202.

In order for testimony and evidence to be received from all interested parties, a public hearing will be held in the Commission's Hearing Room, Synergy Business Park, Saluda Building, 101 Executive Center Drive, Columbia, South Carolina on Thursday, April 17, 2008 at 10:30 a.m.

Any person, who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before March 3, 2008, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket No. 2007-440-E.

Any party who wishes to testify and present evidence at the hearing concerning these matters should notify, in writing, the Docketing Department at the address below, the Office of Regulatory Staff, at Post Office Box 11263, Columbia, South Carolina 29211 and Frank R. Ellerbe, III, Esquire, Robinson McFadden and Moore, PC, 1901 Main Street, Suite 1200, Post Office Box 944, Columbia, South Carolina 29202 on or before March 3, 2008, and indicate the amount of time required for the presentation. Please refer to Docket No. 2007-440-E.

Any person, who wishes to be notified of the hearing, but does not wish to present testimony or participate as a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before March 3, 2008. Please refer to Docket No. 2007-440-E.

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding must present such comments, in person, to the Commission during the hearing. Persons seeking information about the Commission's Procedures should contact the Commission in Columbia at 803-896-5100. Public Service Commission of South Carolina

Attn: Docketing Department,  
Post Office Drawer 11649  
Columbia, South Carolina, 29211  
Published: January 2, 2008

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2008 FEB 27